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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,742	07/21/2003	Randal Howard Kerstetter III	DN2002101	7153
27280	7590	09/08/2005		
THE GOODYEAR TIRE & RUBBER COMPANY INTELLECTUAL PROPERTY DEPARTMENT 823 1144 EAST MARKET STREET AKRON, OH 44316-0001			EXAMINER MIGGINS, MICHAEL C	
			ART UNIT	PAPER NUMBER
			1772	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/624,742	Applicant(s) KERSTETTER ET AL.	
	Examiner Michael C. Miggins	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-20 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

REJECTIONS WITHDRAWN

1. All of the 35 USC 112 2nd paragraph and 35 USC 103(a) rejections set forth in the non-final rejection of 3/15/05, pages 3-6, paragraphs 6-10

REJECTIONS REPEATED

2. There are no rejections repeated.

ANSWERS TO APPLICANT'S ARGUMENTS

3. Applicant's arguments filed 6/16/05 have been carefully considered but are moot in view of the new grounds for rejection set forth below.

NEW REJECTIONS

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 3-11 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Igarashi (US 5348779) in view of Li et al. (US 6046262) and Biggs et al. (US 4436774).

Igarashi discloses refrigerant transport hoses (title) for automotive use (column 1, line 14) that are made from compositions containing chloroprene rubber (column 1, lines 30-33), and aramid fibers of spiral-knitted yarn (column 5, lines 58-62). The hoses have

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rubber tubes next to the fibers (column 4, lines 32-34). The compositions contain acid receptors with magnesium oxide, lead oxide and hydrotalcite recited as useful receptors (column 9, lines 27-29). The acid receptor is used in amounts of from 5 to 25% (column 9, lines 54-56).

Igarashi fails to disclose RFL treatments on its fibers.

Li discloses RFL treatments on fibers (textiles) to bond them to rubbers (column 2, lines 1-10) in order to provide greatly improved adhesion between fibrous textiles and rubbers.

Therefore it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to have provided RFL treatments on the fibers of Igarashi in order to provide greatly improved adhesion between fibrous textiles and rubbers as taught or suggested by Li.

The use of Li's RFL treatment and Igarashi's ingredient suggests the process steps of claims 11 and 13-20.

Igarashi and Li are disclosed above.

They fail to teach blends of polychloroprene with other rubbers.

Biggs discloses polychloroprene blends the other rubber can be natural rubber or styrene/butadiene (column 1, lines 30-43) wherein the rubber is bonded to textiles such as nylon (column 2, lines 59-68) in a hose (abstract) for the purpose of providing reinforced hoses having improved adhesion between the textile and rubber layers.

Therefore it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to have provided blends of polychloroprene with other

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rubbers in order to provide improved adhesion between the textile and rubber layers as taught or suggested by Biggs.

The use of RFL treatment of Li and the blends disclosed by Biggs in the Igarashi compositions suggests the process of claim 12.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Miggins whose telephone number is 571-272-1494. The examiner can normally be reached on 1:00-10:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael C. Miggins
Primary Examiner
Art Unit 1772



MCM

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September 6, 2005